

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/722,855	
	Filing Date	November 25, 2003	
	First Named Inventor	Michiel J. van Nieuwstadt	
	Art Unit	3748	
	Examiner Name		
Total Number of Pages in This Submission	11	Attorney Docket Number	FGT 306CON (81094461)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): PTO-1449 Copy of Foreign Reference
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John D. Russell, Reg. No. 47,048 Kolisch Hartwell P.C.
Signature	
Date	March 30, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Lauren Barberena		
Signature		Date	March 30, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date: March 30, 2004

MICHIEL J. VAN NIEUWSTADT,
DEVESH UPADHYAY and
WILLIAM C. RUONA

Serial No. : 10/722,855

Group Art Unit: 3748

Filed : November 25, 2003

For : DIESEL ENGINE SYSTEM FOR USE WITH
EMISSION CONTROL DEVICE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

S i r :

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98

Applicants are submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

CONTENT OF DISCLOSURE

This Information Disclosure Statement includes (1) 1 page of a PTO-1449 form, and (2) a legible copy of each foreign and non-patent reference, if any, listed on the form. However,

because this application was filed on or after July 1, 2003, no copies of U.S. patents or published U.S. patent applications are included.

FOREIGN-LANGUAGE REFERENCES

A concise explanation of the relevance of each listed reference not in the English language follows:

Japanese Patent No. 2002364337: This patent purports to disclose to provide an exhaust emission control device capable of improving a flow of exhaust gas in a flow passage switching valve, and drastically reducing pressure loss.

Each communication port 17, 18 opening to both right and left sides of a flow passage switching portion of a main pipe 13 is directed in the axial direction (a right and left direction in Fig. 1) of the main pipe 13, and expanded so as to be larger than the inner diameter d of communication pipe 11, 12 and not more than 1.5 times the inner diameter D of the main pipe 13. Therefore, when exhaust gas 2 returning through a particulate filter turns back in a flow passage switching valve 10, the minimum flow passage cross section restricted between a rearmost portion of the communication port 17 and a valve element 19 of the flow passage switching valve 10, is more expanded than before so that a backward turning flow of the exhaust gas 2 is improved to drastically reduce the pressure loss.

TIMING OF DISCLOSURE / FEE INFORMATION


This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Moreover, in accordance with 37 C.F.R. § 1.97(e)(1), the undersigned states that each item of information contained in this Information Disclosure Statement was first cited in a

communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Therefore, in accordance with 37 C.F.R. §§ 1.97(b)(3), (b)(4), or (c)(1), no fee is required.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.

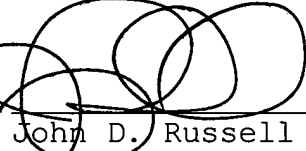
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on March 30, 2004.


Lauren Barberena

Respectfully submitted,

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FORM PTO-1449

INFORMATION DISCLOSURE
CITATION IN AN APPLICATIONDOCKET NUMBER
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November 25, 2003GROUP ART UNIT
3748

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	NO
	2002364337	12-18-02	JP			Abstract only	

OTHER DOCUMENTS

EXAMINER

DATE CONSIDERED